

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.417 OF 2024

IN

CRIMINAL APPEAL (ST) NO.1769 OF 2024

Mohd. Ekabal Mohd. Ismail Shaikh : Applicant

Vs.

The State of Maharashtra & Anr. : Respondents

Adv. Aishwarya Bapat a/w Adv. Grishma N. Lad for the Applicant.
Adv. P. P. Devkar, APP for the State.

CORAM : KISHORE C. SANT, J.

DATE : 14TH MARCH, 2024

PC. :

1. Though served none appears for the Respondent No.2.
2. This Application is preferred for condonation of delay of 2 years & 76 days caused in filing the Criminal Appeal. The impugned judgment and order is dated 3rd September, 2021 passed by Ld. District and Sessions Judge, Mumbai Special Court, District Mumbai in Special POCSO Case No.86 of 2017.
3. The Applicant is convicted for offence punishable under Section 10 of POCSO and for offences punishable under Sections 354, 354-

A of the Indian Penal Code. The maximum sentence awarded is 5 years rigorous imprisonment. Since the Applicant was in jail, he could not immediately arrange to instruct a lawyer to file the Appeal. It is for this reason delay is caused.

4. Considering the above Application stands allowed.
5. Delay stands condoned.
6. Application is thus disposed of.

(KISHORE C. SANT, J.)